1 THE HONORABLE MARSHA J. PECHMAN 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 9 10 BOILERMAKERS NATIONAL ANNUITY 11 NO. C09-0037 MJP TRUST FUND, on behalf of itself and all 12 others similarly situated, [Consolidated with: Case No. C09-0134MJP Plaintiff, 13 and Case No. C09-0137MJP] 14 v. [PROPOSED] ORDER TO FILE 15 **OVERLENGTH BRIEF** WAMU MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2006-ARI et al. 16 Defendants. 17 NEW ORLEANS EMPLOYEES' NOTE FOR MOTION CALENDAR: RETIREMENT SYSTEM, et al., 18 **DECEMBER 16, 2009** Plaintiffs, 19 v. 20 FEDERAL DEPOSIT INSURANCE CORPORATION, et al., 21 Defendants. 22 NEW ORLEANS EMPLOYEES' RETIREMENT SYSTEM, et al., 23 Plaintiffs, 24 v. 25 THE FIRST AMERICAN CORPORATION, 26 et al., Defendants. 27 28 [PROPOSED] ORDER TO FILE OVERLENGTH BRIEF - 1 HILLIS CLARK MARTIN &

PETERSON, P.S.

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ND: 19719.002 4839-4170-9061v1

1 The Court having reviewed the Motion to File Overlength Brief (the "Motion") by the 2 WaMu Defendants (WaMu Asset Acceptance Corporation, WaMu Capital Corporation, 3 Washington Mutual Mortgage Securities Corporation, David Beck, Diane Novak, Rolland 4 Jurgens and Richard Careaga), and the Court finding good cause to file an overlength brief, 5 6 the Court hereby GRANTS the Motion. The WaMu Defendants may file a motion to dismiss 7 of up to 48 pages. 8 DATED this 16th day of December, 2009. 9 10 The Honorable Marsha J. Pechman 11 12 Presented by: 13 BINGHAM McCUTCHEN LLP HILLIS CLARK MARTIN & PETERSON, P.S. 14 By s/Brian C. Free 15 Louis D. Peterson, WSBA #5776 David M. Balabanian (*Pro Hac Vice*) John D. Pernick (*Pro Hac Vice*) Brian C. Free, WSBA #35788 16 Frank Busch (*Pro Hac Vice*) 1221 Second Avenue, Suite 500 17 Three Embarcadero Center Seattle WA 98101-2925 San Francisco, CA 94111-4067 Telephone: (206) 623-1745 18 Tel: (415) 393-2544 Facsimile: (206) 623-7789 Email: ldp@hcmp.com; bcf@hcmp.com 19 Fax: (415) 262-9203 Email: david.balabanian@bingham.com 20 john.pernick@bingham.com Counsel for Defendants WaMu Asset frank.busch@bingham.com Acceptance Corporation, WaMu Capital 21 Corporation, Washington Mutual 22 Mortgage Securities Corporation, David - *and* -Beck, Diane Novak, Rolland Jurgens and 23 Richard Careaga Susan L. Hoffman (*Pro Hac Vice*) 355 South Grand Avenue, Suite 4400 24 Los Angeles, CA 90071-3106 25 (213) 680-6454 Tel: Fax: (213) 680- 6499 26 Email: susan.hoffman@bingham.com 27 28 [PROPOSED] ORDER TO FILE OVERLENGTH BRIEF - 2 HILLIS CLARK MARTIN &

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1 CERTIFICATE OF SERVICE 2 I hereby certify that on the 16th day of December, 2009, I electronically filed the 3 4 foregoing with the Clerk of the Court using the CM/ECF system which will send notification 5 of such filing to the following: 6 7 Ramzi Abadou - rabadou@btkmc.com,knguyen@btkmc.com 8 Michael H. Barr - mbarr@sonnenschein.com 9 Walter Eugene Barton 10 gbarton@karrtuttle.com,nrandall@karrtuttle.com,danderson@karrtuttle.com Andrew B Brettler - abrettler@stblaw.com 11 Frank Busch - frank.busch@bingham.com,frank.downing@bingham.com 12 13 Steven P Caplow - stevencaplow@dwt.com,belenjohnson@dwt.com 14 Kevin P Chayous - kchayous@sonnenschein.com 15 Hal D Cunningham - hcunningham@scott-scott.com 16 Kerry F Cunningham - kerry.cunningham@dlapiper.com 17 Leslie D Davis - Idavis@sonnenschein.com 18 Corey E Delaney 19 corey.delaney@dlapiper.com,kerry.cunningham@dlapiper.com, lorna.bernard@dlapiper.com,richard.hans@dlapiper.com,patrick.smith@dlapiper.com 20 21 Joseph A. Fonti jfonti@labaton.com,ElectronicCaseFiling@labaton.com 22 Jonathan Gardner - jgardner@labaton.com 23 24 Joseph P Guglielmo - jguglielmo@scott-scott.com,efile@scott-scott.com 25 Richard F Hans - richard.hans@dlapiper.com,dorinda.castro@dlapiper.com 26 David Daniel Hoff - dhoff@tousley.com,efile@tousley.com 27 28 [PROPOSED] ORDER TO FILE OVERLENGTH BRIEF - 3 HILLIS CLARK MARTIN &

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